

*Marlon G. Kirton, P.C.*

*Marlon G. Kirton, Esq.*

*New York City:*  
230 Park Ave. Suite, 1000  
New York, N.Y. 10169  
Tel # (646) 435 - 5519  
Fax # (212) 808 - 3020

*Nassau County:*  
175 Fulton Ave. Suite B-1  
Hempstead, N.Y. 11550  
Tel # (516) 833 - 5617  
Fax # (516) 833 - 5620

September 6, 2013

Hon. William H. Pauley III  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

*Application denied. Chichakli is directed to file a written motion by September 12, 2013. The Government shall respond on September 19, 2013. Any reply shall be filed on September 24, 2013. Oral argument on the motion will take place on September 27, 2013 at 2:00 PM.*

Re: *United States v. Chichakli*, 09 cr. 1002 (WHP)

SO ORDERED:

Dear Judge Pauley:

*William H. Pauley III*  
WILLIAM H. PAULEY III U.S.D.J.

I am Stand By Counsel for the above referenced defendant. Mr. Chichakli would like a conference to discuss a number of legal issues regarding his case. At bottom, Mr. Chichakli believes that this Court has the legal basis to dismiss the charges against him as a matter of law. I have summarized these issues to the Government.<sup>1</sup> Mr. Chichakli would like a conference on Monday afternoon, September 9, 2013, to address these concerns orally on the record.<sup>2</sup> Mr. Chichakli relayed this message to me on Tuesday, September 4, 2013.

Please contact me as needed regarding this matter.

Sincerely,

s/Marlon G. Kirton  
Marlon G. Kirton, Esq.

<sup>1</sup>The legal ground for these claims is based on the 4<sup>th</sup> Amendment notion of "Outrageous Government Conduct".

<sup>2</sup>This is to supplement his prior motion previously submitted. This is not in reply to the Government's response submitted on Wednesday.

cc: Jenna Dabbs, Assistant United States Attorney (via electronic mail)  
Christian Everdell, Assistant United States Attorney (via electronic mail)  
Ian McGinley, Assistant United States Attorney (via electronic mail)